

# State of South Dakota

## SEVENTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2000

463D0549

### HOUSE BILL NO. 1101

Introduced by: Representatives Michels, Apa, Chicoine, Duniphan, Engbrecht, Hennies, Koehn, McCoy, Napoli, Sutton (Duane), and Wilson and Senators Olson, Everist, Hutmacher, Munson (David), Reedy, Shoener, and Staggers

1 FOR AN ACT ENTITLED, An Act to revise the grounds for revocation or suspension of an  
2 alcoholic beverage license.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 35-2 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 No retail license may be revoked or suspended because of a violation of any statute,  
7 ordinance, rule, or regulation prohibiting the sale or service of any alcoholic beverage to a person  
8 under the age of twenty-one years if the violation was committed by an employee or agent of the  
9 licensee and:

10 (1) The licensee did not see the violation occur;

11 (2) The employee or agent has completed a nationally certified training program that  
12 provides instruction on techniques to prevent persons under the age of twenty-one  
13 years from purchasing or consuming alcoholic beverages;

14 (3) The licensee has a written policy requiring the licensee's employees or agents to  
15 examine the driver's license or other age-bearing identification document of any  
16 person who appears to be under the age of twenty-one years before selling or serving

- 1           any alcoholic beverage to that person, and the employee or agent has agreed in
- 2           writing to abide by the policy; and
- 3       (4)   The employee or agent has not been convicted of a similar violation within the past
- 4           twelve months.